

THE
TREATY

OF

Peace, Union, Friendship,

AND

Mutual Defence,

Between the CROWNS of

Great-Britain, France, and Spain,

Concluded at *Seville* on the 9th of *November*, N. S. 1729.

Taken from the *Daily Post-Boy* of
January 8, 1729.

To which are added, the Two Separate
Articles,



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*In the Name of the most Holy Trinity,
Father, Son, and Holy Ghost, three
distinct Persons, and one only true
God.*

THEIR most Serene Majesties the King
of *Great-Britain*, the most Christian
King, and the Catholick King, desiring, with
equal Earnestness, not only to renew and bind

more closely their antient Friendship, but likewise to remove whatever might hereafter disturb it; to the End, that being united in Sentiments and Inclination, they may for the future act in every thing as having but one and the same View and Interest; and for this purpose, the most Serene King of *Great Britain* having given full Power for treating in his Name to *M. William Stanhope*, Vice-Chamberlain of his *Britannick* Majesty's Household, one of his Privy Council, Member of the Parliament of *Great-Britain*, Colonel of a Regiment of Dragoons, and his said Majesty's Ambassadour Extraordinary to his Catholick Majesty; as also to *M. Benjamin Keene*, his said *Britannick* Majesty's Minister Plenipotentiary to his Catholick Majesty: The most Serene most Christian King having given full Power for treating in his Name to the Marquess *de Brancas*, Lieutenant-General of his Armies, Knight of his Orders and of that of the *Golden-Fleece*, his Lieutenant-General in the Government of *Provence*, and his Ambassadour Extraordinary to his Catholick Majesty: And the most Serene Catholick King having likewise given full Power for treating in his Name to *M. John Baptist D'Orendayn* Marquess *de la Paz*, his Counsellour of State
and

and first Secretary of State and of the Dispatches; and to *M. Joseph Patino*, Commander of *Alcuesca* in the Order of *St. James*, Governor of the Council of the Treasury, and of the Tribunals depending thereon, Superintendant-General of the general Revenues, and his Secretary of State and of the Dispatches for Affairs of the Marine, the *Indies*, and the Treasury: The above-mentioned Ministers have agreed between them on the following Articles.

ARTICLE I.

There shall be from this Time and for ever a solid Peace, a strict Union, and a sincere and constant Friendship between the most Serene King of *Great Britain*, the most Serene most Christian King, and the most Serene King of *Spain*, their Heirs and Successours, as also between their Kingdoms and Subjects, for the mutual Assistance and Defence of their Dominions and Interests; there shall likewise be an Oblivion of all that is past; and all the former Treaties and Conventions of Peace, of Friendship, and of Commerce, concluded between the contracting Powers respectively, shall be, as they hereby are, effectually renewed

ed and confirmed, in all those Points which are not derogated from by the present Treaty, in as full and ample a Manner, as if the said Treaties were here inserted Word for Word. Their said Majesties promising not to do any Thing, nor suffer any thing to be done, that may be contrary thereto directly or indirectly.

II.

In Consequence of which Treaties, and in order to establish firmly this Union and Correspondence, their *Britannick*, most Christian, and Catholick Majesties, promise and engage by the present defensive Treaty of Alliance, to guarantee reciprocally their Kingdoms, States, and Dominions under their Obedience, in what Parts of the World soever situate, as also the Rights and Privileges of their Commerce, the whole according to the Treaties; so that the said Powers, or any one of them, being attacked or molested by any Power and under any pretext whatever, They promise and oblige themselves reciprocally to employ their Offices, as soon as they shall be thereto required, for obtaining Satisfaction to the Party injured, and for hindring the Continuance

nuance of Hostilities ; and if it happen that the said Offices be not sufficient for procuring Satisfaction without Delay, their said Majesties promise to furnish the following Succours, jointly, or separately, that is to say, his *Britannick* Majesty Eight Thousand Foot and Four Thousand Horse; his most Christian Majesty Eight Thousand Foot and Four Thousand Horse; and his Catholick Majesty Eight Thousand Foot and Four Thousand Horse : If the Party attacked, instead of Troops, should demand Ships of War or Transports, or even Subsidies in Money, he shall be free to chuse, and the other Parties shall furnish the said Ships or Money, in proportion to the Expence of Troops; and for taking away all Doubt touching the Valuation of the Succours, their abovesaid Majesties agree, that a Thousand Foot shall be computed at Ten Thousand Florins Dutch Money, and a Thousand Horse at Thirty Thousand Florins Dutch Money, by the Month; and the same Proportion shall be observed with respect to the Ships that ought to be furnished; their said Majesties promising to continue and keep up the said Succours as long as the Trouble shall subsist; and in case it should be found necessary, their said Majesties shall mutually succour

couer each other with all their Forces, and shall even declare War against the Aggressor.

III.

The Ministers of his *Britannick* Majesty and of his most Christian Majesty, having alledg'd, That in the Treaties concluded at *Vienna* between the Emperour and the King of *Spain*, in the Year One thousand Seven hundred twenty five, there were divers Clauses that infringed the Articles of the several Treaties of Commerce, or of the Treaties of Peace in which Commerce may be concerned, antecedent to the Year One thousand seven hundred twenty five, His Catholick Majesty has declared, as he declares by the present Article, That he never meant to grant, nor will suffer to subsist by Virtue of the said Treaties of *Vienna*, any Privilege contrary to the Treaties here above confirmed.

IV.

It having been agreed by the Preliminary Articles, that the Commerce of the
English

English and *French* Nations, as well in *Europe* as in the *Indies*, should be reestablished on the Foot of the Treaties and Conventions antecedent to the Year One thousand seven hundred twenty five, and particularly, that the Commerce of the *English* Nation in *America* should be exercised as heretofore; it is agreed by the present Article, That all necessary Orders shall be dispatched on both Sides, without any Delay, if they have not been sent already, as well for the Execution of the said Treaties of Commerce, as for supplying what may be wanting for the entire Reestablishment of Commerce, on the Foot of the said Treaties and Conventions.

V.

Although it was stipulated by the Preliminaries, That all Hostilities should cease on both Sides, and that if any Trouble or Hostilities should happen between the Subjects of the contracting Parties, either in *Europe* or in the *Indies*, the contracting Powers should concur for the Reparation of Damages sustained by their respective

F Subjects;

Subjects; and notwithstanding this it is al-
 ledged, that on the Part of the Subjects
 of his Catholick Majesty, Acts of Distur-
 bance and Hostilities have been continued;
 it is agreed by this present Article, That
 as to what relates to *Europe*, his Catholick
 Majesty shall forthwith cause Reparation to
 be made for the Damages which have been
 suffered there since the Time prescribed by
 the Preliminaries for the Cessation of Ho-
 stilities; and as to what relates to *America*,
 he will likewise forthwith cause Repara-
 tion to be made for the Damages which
 shall have been suffered there since the Arri-
 val of his Orders at *Cartagena* on the
Eleventh _____ Day of *June*, One thousand
Twenty Second _____ seven hundred twenty eight. And his said
 Catholick Majesty shall publish the most
 rigorous Prohibitions for preventing the
 like Violences on the Part of his Subjects;
 their *Britannick* and most Christian Ma-
 jesties promising on their Part, if there be
 like Cases, to cause Reparation to be made
 for what shall have been so done, and to
 give like Orders for the Preservation of
 the

the Peace, Tranquillity, and good Intelligence.

VI.

Commissaries shall be nominated with sufficient Powers, on the Part of their *Britannick* and *Catholick* Majesties, who shall assemble at the Court of *Spain* within the Space of Four Months after the Exchange of the Ratifications of the present Treaty, or sooner if it can be done, to examine and decide what concerns the Ships and Effects taken at Sea on either Side to the Time specified in the preceeding Article. The said Commissaries shall likewise examine, and decide, according to the Treaties, the respective Pretensions which relate to the Abuses that are supposed to have been committed in Commerce, as well in the *Indies* as in *Europe*, and all the other respective Pretensions in *America*, founded on Treaties, whether with respect to the Limits or otherwise. The said Commissaries shall likewise discuss and decide the Pretensions which his *Catholick* Majesty may have, by Virtue of the Treaty of One thousand seven hundred twentyone for the Restitution of the

Ships taken by the *English* Fleet in the Year One thousand seven hundred eighteen. And the said Commissaries after having examined discussed and decided the abovesaid Points and Pretensions, shall make a Report of their Proceedings to their *Britannick* and Catholick Majesties, who promise that within the Space of Six Months after the making of the said Report, they will cause to be executed punctually and exactly what shall have been so decided by the said Commissaries.

VII.

Commissaries shall likewise be nominated on the Part of his most Christian Majesty, and of his Catholick Majesty, who shall examine all Grievances generally whatsoever which the said Parties therein interested may form respectively, whether for the Restitution of Vessels seized or taken, or with respect to Commerce, Limits, or otherwise.

VIII.

The said Commissaries shall finish punctually their Commission within the Space of three Years, or sooner if it can be done, to be computed

computed from the Day of the signing of the present Treaty, and this without any further Delay, on any Motive or Pretext whatever.

IX.

The introducing of Garrisons into the Places of *Leghorne*, *Porto-ferraio*, *Parma*, and *Placentia*, to the Number of Six thousand Men of his Catholick Majesty's Troops and in his Pay, shall be effectuated without Loss of Time; which Troops shall serve for the better securing and preserving of the immediate Succession of the said States in Favour of the most Serene Infante *Don Carlos*, and to be ready to withstand any Enterprize and Opposition which might be formed to the Prejudice of what has been regulated touching the said Succession.

X.

The contracting Powers shall forthwith use all the Applications which they shall judge to be consistent with the Dignity and Quiet of the most Serene Great Duke of *Tuscany*, and the Duke of *Parma*, to the End the Garrisons may be received with the greatest Tranquility

Tranquility and without Opposition, as soon as they shall present themselves before the Places into which they are to be introduced.

The said Garrisons shall take an Oath to the present Possessors to defend their Persons, Sovereignty, Possessions and States, and Subjects, in every thing that shall not be contrary to the Right of Succession reserved to the most Serene Infante Don *Carlos*, and the present Possessors shall not demand or exact any thing that is contrary thereto.

The said Garrisons shall not meddle directly or indirectly, under any Pretext whatsoever, in Affairs of the political, economical or civil Government; and shall have most express Orders to render to the most Serene Great Duke of *Tuscany* and the Duke of *Parma*, all the Respects and military Honours that are due to Sovereigns in their own Dominions.

XL

The Intent of introducing the said Six thousand Men of his Catholick Majesty's Troops and in his Pay, being to secure to the most Serene Infante Don *Carlos* the immediate

mediate Succession of the States of *Tuscany*, *Parma* and *Placentia*, his Catholick Majesty promises, as well for himself as his Successors, that as soon as the most Serene Infante Don *Carlos* his Son, or such other who shall succeed to his Rights, shall be the quiet Possessor of those States, and in Safety from all Invasion and other just Grounds of Fear, He will cause to be withdrawn from the Places in those States the Troops which shall be his own, and not belonging to the Infante Don *Carlos*, or to him who shall succeed to his Rights, in such manner that thereby the said Succession or Possession may rest secure and exempt from all Events.

XII.

The contracting Powers engage to establish, according to the Rights of Succession which have been stipulated, and to maintain the most Serene Infante Don *Carlos*, or him to whom his Rights shall devolve, in the Possession and Enjoyment of the States of *Tuscany*, *Parma*, and *Placentia*, when he shall once be settled there; to defend him from all Insult, against any Power whatsoever, that might intend to disturb him; declaring themselves
by

by this Treaty, Guarantees for ever of the Right, Possession, Tranquility, and Quiet of the most Serene Infante, and of his Successors to the said States.

XIII.

As to other Particulars or Regulations concerning the keeping up of the said Garrisons once established in the States of *Tuscany*, *Parma*, and *Placentia*, as it is to be presumed that his Catholick Majesty and the most Serene Great Duke and Duke of *Parma* will settle the same by an Agreement between themselves, their *Britannick* and most Christian Majesties promise, that as soon as that Agreement shall be made, they will ratify and guarantee it, as well to his Catholick Majesty, as to the most Serene Great Duke and Duke of *Parma*, as if it were inserted Word for Word in the present Treaty.

XIV.

The States General of the United Provinces shall be invited to come into the present Treaty and Articles. Such other Powers

as shall be agreed on, shall likewise be invited and admitted by Concert into the same Treaty and Articles.

The Ratifications of the present Treaty shall be dispatched within the Space of Six Weeks, or sooner if it can be done, to be reckoned from the Day of signing it.

In Witness whereof, We the underwritten Ministers Plenipotentiaries of his *Britannick* Majesty, of his most Christian Majesty, and of his Catholick Majesty, by Virtue of our Full Powers, which have been communicated to each other, Transcripts of which shall be hereto annexed, have signed the present Treaty, and caused the Seals of our Arms to be affixed thereto. Done at *Seville*, the Ninth Day of *November*, One Thousand seven hundred twenty nine.

<i>W. Stanhope.</i>	<i>Branças.</i>	<i>El Marq. de la Paz.</i>
(L. S.)	(L. S.)	(L. S.)
<i>B. Keene.</i>		<i>D. Joseph Patino.</i>
(L. S.)		(L. S.)

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Separate

as shall be agreed on, shall likewise be in-
vited and admitted by Consent into the same
Treaty and Articles.

The Ratifications of the present Treaty
shall be deposited within the space of six
Weeks, or sooner if it can be done, to
be reckoned from the Day of signing it.

In Witness whereof We the undersigned
Ministers Plenipotentiaries of his Britannic
Majesty, of his most Christian Majesty, and
of his Catholic Majesty, by Virtue of our
high Powers, which have been communicated
to each other, Transcripts of which shall be
hereto annexed, have signed the present
Treaty, and caused the Seals of our Arms
to be affixed thereto. Done at Geneva, the
Ninth Day of November, One Thousand
seven hundred twenty nine.

W. Stanhope. B. Kene. (L.S.)
D. Joseph B. Kene. (L.S.)
El Maria de la Paz (L.S.)

Separate

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Separate Articles.

ARTICLE I.

ALthough, conformably to the Preliminary Articles, it is said in the Fourth Article of the Treaty signed this Day, that the Commerce of the *English* Nation in *America* should be reestablished on the Foot of the Treaties and Conventions antecedent to the Year One thousand seven hundred twenty five ; however, for the greater Exactness, it is further declared by the present Article between their *Britannick* and *Catholick* Majesties, which shall have the same Force, and be under the same Guaranty as the Treaty signed this Day, that under that general Denomination are comprehended the Treaties of Peace and of Commerce concluded at *Utrecht* the Thirteenth of *July* and Ninth of *December* in the Year One thousand seven hundred thirteen, in

which are comprised the Treaty of One thousand six hundred sixty seven, made at *Madrid*, and the Cédulas therein mentioned : The later Treaty made at *Madrid* the Fourteenth of *December*, One thousand seven hundred fifteen ; as also the particular Contract, commonly called the *Asiento*, for bringing Negro Slaves into the *Spanish Indies*, which was made the twenty sixth Day of *March*, in the said Year One thousand seven hundred thirteen, in Consequence of the Twelfth Article of the Treaty of *Utrecht* ; and likewise the Treaty of Declaration, touching that of the *Asiento*, made the twenty sixth of *May*, One thousand seven hundred sixteen : All which Treaties mentioned in this Article, with their Declarations, shall from this Day (even during the Examination by the Commissaries) be and remain in their Force, Virtue and full Vigour ; for the Observation of which his Catholick Majesty shall cause to be dispatch'd forthwith, if they have not been dispatch'd, the necessary Orders and Cédulas to his Viceroy, Governors, and other Ministers to whom it shall appertain, as well in *Europe* as in the *Indies*, to the End that without any Delay,

or

or Interpretation they may cause them to be observed and fulfilled.

In like manner his *Britannick* Majesty promises and engages to publish the necessary Orders, if any be wanting, for reestablishing the Commerce of the Subjects of *Spain* in all the Countries under his Dominion, on the Foot specified by the said Treaties, and for causing them to be exactly observed and fulfilled.

II.

Consequently, all Ships, Merchandize and Effects, which shall not have been taken or seized on Account of unlawful Commerce, and which shall now be proved by authentic Proofs and Documents to have been detained, seized or confiscated in the Ports of *Spain*, either in *Europe* or in the *Indies*, and namely the Ship *Prince Frederick* and her Cargo, if they have not been restored already, shall be immediately restored, in the same Kind as to those things which shall be found still remaining in that Condition; or in Default thereof, the just and true Value of them, according to their Valuation, which, if it was not made at the Time, shall

shall be regulated by the authentick Informations which the Proprietors shall exhibit to the Magistrates of the Places and Towns where the Seizures were made : His *Britannick* Majesty promising the like on his Part, as to all Seizures, Confiscations, or Detentions which may have been made contrary to the Tenour of the said Treaties : Their said *Britannick* and Catholick Majesties agreeing, that with respect to the like Seizures, Confiscations or Detentions on either Side, the Validity of which may not yet have been sufficiently made out, the Discussion and Decision of them shall be referred to the Examination of the Commissaries, to do therein according to Right upon the Foot of the Treaties here above-mentioned.

The present separate Articles shall have the same Force as if they had been inserted Word for Word in the Treaty concluded and signed this Day. They shall be ratified in the same Manner, and the Ratifications of them shall be exchanged at the same Time as those of the said Treaty.

In Witness whereof we the underwritten Ministers Plenipotentiaries of his *Britannick* Majesty

Majesty, of his most Christian Majesty, and of his Catholick Majesty, by Virtue of our Full Powers, have signed the present separate Articles, and caused the Seals of our Arms to be put thereto. Done at *Seville* the ninth Day of *November*, One thousand seven hundred twenty nine.

<i>W. Stankope.</i>	<i>Brancas.</i>	<i>El Marq. dela Paz.</i>
(L.S.)	(L.S.)	(L.S.)
<i>B. Keene.</i>		<i>D. Joseph Patino.</i>
(L.S.)		(L.S.)

F I N I S.